

HONORABLE JUDGE RICARDO S. MARTINEZ

UNITED STATE DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARTIN ARAGON LERMA,

Defendant

Case No.: 2:24-cr-00045

ORDER CONTINUING TRIAL

This matter comes before the Court on Mr. Lerma's motion to continue the trial in this case, and to set a new pretrial motion cutoff consistent with the new trial date. Having considered the motion and all the files and records herein, the Court finds and rules as follows:

The facts supporting continuing the trial and excluding the consequent delay are set forth in the Motion to Continue, incorporated by this reference, and

ORDER CONTINUING TRIAL - 1

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1 include the following: (a) the amount of discovery recently disclosed; (b) the
2 significant sentence faced by the defendant as currently charged, (c) the fact
3 discovery is still outstanding, and (d) the need for defense counsel to have an
4 appropriate period to review discovery, consult with their client with the language
5 barrier, negotiate with the government, and prepare a defense, and (e) Mr. Lerma
6 has waived his right to a speedy trial.
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9 THE COURT THEREFORE FINDS Pursuant to 18 U.S.C Sections
10 3161(h)(7)(B) (iv), based on the facts above, a continuance is necessary because a
11 continuance is necessary because “(iv), failure to grant a continuance...would deny
12 counsel for the defendant or the attorney for the Government the reasonable time
13 necessary for effective preparation, taking into account the exercise of due
14 diligence.”
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18 THIS COURT THEREFORE FINDS, in light of the factors above, it
19 is unlikely that the parties can be reasonably ready to try this matter before
20 September 9, 2024.
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22 THIS COURT FURTHER FINDS that all the additional time
23 requested between the current trial date of May 13, 2024, and the new trial date is
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26 ORDER CONTINUING TRIAL - 2

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1 necessary to provide counsel for the defendant the reasonable time necessary to
2 effectively represent Mr. Lerma, including preparing for trial.
3

4 NOW, THEREFORE, IT IS HEREBY ORDERED that the trial date
5 in this matter will be continued until September 9, 2024.
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7 IT IS HEREBY ORDERED, that pretrial motions will be filed no later
8 than July 18, 2024.

9 IT IS FURTHER ORDERED that the time between this date and the
10 new trial date is excluded in computing the time within which a trial must be held
11 pursuant to Title 18, United States Code, Section 3161, et seq.
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14 DATED this 3rd day of April, 2024.

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16 

17 RICARDO S. MARTINEZ
18 UNITED STATES DISTRICT JUDGE
19
20
21

22 Presented by:

23 s/ Sade' A. Smith

24 Sade' A. Smith

25 WSBA #44867

26 Attorney for Mr. Lerma

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